



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701

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FOR IMMEDIATE RELEASE:

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NOAA Fisheries Service is Seeking Public Comments on a Proposed Rule to Revise the Gulf of Mexico Reef Fish Vessel Monitoring System (VMS) Reporting Requirements and Red Snapper Individual Fishing Quota (IFQ) 3-hour Notification

NOAA's National Marine Fisheries Service (NOAA Fisheries Service) is seeking public comment of two proposed actions. The proposed rule would revise the VMS requirements for the Gulf of Mexico commercial reef fish fishery and revise the advanced landing notification requirements for the red snapper IFQ fishery. The proposed rule was published in the Federal Register on August 6, 2007, with the comment period ending August 21, 2007.

VMS Issues

Currently, all owner/operators of vessels with a commercial vessel permit for Gulf reef fish are required to have an operating VMS unit onboard. This includes charter vessels and headboats with a commercial vessel permit for Gulf reef fish, even when under charter. This program was implemented through Amendment 18A to the Fishery Management Plan (FMP) for the Reef Fish Resources of the Gulf of Mexico.

Requirements for this commercial reef fish VMS program include a provision for the VMS unit to send a position report to NOAA Office of Law Enforcement (OLE) once an hour, 24 hours a day. An unintended consequence of this action is a vessel, while in port, can have its battery drained unless hooked up to an external power source. This is because some VMS units draw more power than anticipated. The proposed rule includes options to resolve this problem.

Measures to rectify these issues include:

- (1) Establish an in-port exemption allowing a VMS unit to send a position report once every four hours, rather than every hour.
- (2) Expand the power-down exemption to include a vessel that is "in port" for 72 consecutive hours or more.
- (3) Clarify the requirements for owners/operators of qualified vessels to apply for and obtain a VMS power-down.

IFQ Issues

Amendment 26 to the Reef Fish FMP established the red snapper IFQ program. A part of this program requires the owner or operator of a vessel landing IFQ red snapper to notify OLE of the time, location of landing, and name of the IFQ dealer where the red snapper are received. This notification must occur by telephone 3 to 12 hours in advance of landing in the IFQ program. However, reliance on a telephone-based notification method has proven to be impractical in some circumstances (e.g., where cell phone range is inadequate). This proposed rule provides additional options for complying with the 3-hour notification. Options include providing notification via forms provided through the VMS unit or via a Web-based format available on the Southeast Regional Office's Web site.

Request for Comments

Written comments on this proposed rule must be received no later than 5 p.m., Eastern time, on August 21, 2007. See the **Addresses** section on where and how to submit comments.

Answers to frequently asked questions on VMS and IFQ program can be found on the Southeast Regional Office's Web site at <http://sero.nmfs.noaa.gov>.

Addresses

A copy of the proposed rule, Regulatory Impact Review, Initial Regulatory Flexibility Analysis, and Social Impact Assessment are available from:

NOAA Fisheries Service
Southeast Regional Office
Sustainable Fisheries Division
263 13th Avenue South
St. Petersburg, Florida 33701

Electronic copies of the proposed rule may be obtained from the Federal Register Web site at <http://www.gpoaccess.gov/fr/index.html>.

You may submit comments by any of the following methods:

- E-mail: 0648-AV59.Proposed@noaa.gov. Include in the subject line the following document identifier: 0648-AV59.
- Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Mail: Peter Hood
NOAA Fisheries Service
Southeast Regional Office
Sustainable Fisheries Division
263 13th Avenue South
St. Petersburg, Florida 33701
- Fax: 727-824-5308, Attention: Peter Hood